

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

LOWELL MERRITT,

Plaintiff,

V.

SUZANNE H. WOOTEN,

Defendant.

§
§
§
§
§
§
§
§
§

CASE NO. 4:12-CV-75
(Judge Clark/Judge Mazzant)

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On April 16, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant Former District Judge Suzanne Wooten's Motion to Dismiss Under Federal Rules 12(b)(1) and 12(b)(6) [Doc. #8] be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant Former District Judge Suzanne Wooten's Motion to Dismiss Under Federal Rules 12(b)(1) and 12(b)(6) [Doc. #8] is GRANTED, and all claims against defendant are DISMISSED with prejudice.

The Clerk is directed to close this case.

So **ORDERED** and **SIGNED** this **5** day of **June, 2012**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge